



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEANNETTE HAUSLER,

Petitioner,

- against -

JP MORGAN CHASE BANK, N.A.,
CITIBANK, N.A., UBS AG, THE ROYAL
BANK OF SCOTLAND, N.V. AND BANK OF
AMERICA, N.A.,

Defendants.
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09 Civ. 10289 (VM)

ORDER

VICTOR MARRERO, United States District Judge.

By letter dated June 17, 2011, all Petition III Adverse Claimants and Petition I Adverse Claimant Shanghai Pudong Development Bank (collectively, "Adverse Claimants") requested a pre-motion conference in advance of moving, pursuant to Federal Rule of Civil Procedure 60(b)(4) ("Rule 60(b)(4)"), to vacate the judgment of the Florida state court, confirmed by federal courts in Florida, that petitioner Jeanette Hausler ("Hausler") seeks to enforce in this proceeding. Hausler responded to the Adverse Claimants' request by letter dated June 21, 2011.

Upon review of the parties' submissions, the Court finds that, while it may possess the authority to adjudicate a collateral motion under Rule 60(b)(4), the Court declines to do so in this instance. Rather, to the

extent that Adverse Claimants wish to pursue such relief, their proposed motion is most appropriately addressed to the Florida courts that entered and confirmed the original judgment. See Lowden v. Berger, No. M18-302, 1999 WL 51131, *3-4 (Feb. 23, 1993); United States ex rel. Mosher Steel Co. v. Fluor Corp., Ltd., 436 F.2d 383, 385 (2d Cir. 1970). Adverse Claimants' request for a pre-motion conference is therefore DENIED.

SO ORDERED.

Dated: New York, New York
24 June 2011



VICTOR MARRERO
U.S.D.J.